



House Panels Draft South Africa Sanctions Bill

South Africa sanctions are again on Congress' agenda. But Republicans, who were crucial to the landmark enactment of sanctions in 1986, are sitting on the sidelines this year.

Two House Foreign Affairs subcommittees on April 20 approved a sweeping sanctions bill (HR 1580) that would end all U.S. trade with and investment in South Africa within a year. Sponsors said the bill is a necessary tightening of the screws on the white-minority government in Pretoria, which has taken increasingly repressive steps against the black majority.

The bill is a somewhat milder version of the original HR 1580, introduced in March 1987 by Ronald V. Dellums, D-Calif., and 53 others. The original Dellums bill would have cut off all U.S. trade with South Africa immediately upon enactment. The revision was sponsored by Howard Wolpe, D-Mich., chairman of the Foreign Affairs Africa Subcommittee.

The full Foreign Affairs Committee may consider the revised bill in late April or early May.

However, there appears to be little Republican support so far this year for a major expansion of the sanctions that Congress enacted into law over President Reagan's veto in 1986.

Those sanctions curtailed new investment and several categories of trade with South Africa but allowed U.S. corporations to decide on their own whether to pull out of that country. A majority of Republicans in the House and Senate supported those sanctions, providing the margin necessary to override Reagan's veto. (1986 Almanac p. 359; Weekly Report p. 810)

Several Republicans who were key to the 1986 action are remaining silent this year or are taking the position that the United States should not impose further sanctions damaging the South African economy. Among them, Sen. Nancy Landon Kassebaum, Kan., said of a total trade embargo: "I just genuinely feel that is not going to push the end of apartheid along."

The joint action by the two sub-

committees may be indicative of the potentially partisan nature of this year's congressional debate on the issue. Both panels approved the bill on party-line votes: the Africa Subcommittee 6-4 and the International Economic Policy and Trade Subcommittee 7-4.

Even if passed by the House, sanctions legislation would face an uncertain future in the Senate, where few steps have been taken to lay the groundwork for action this year.

Senate advocates of new South Africa legislation, including Paul Simon, D-Ill., are trying to draft an alternative to the Dellums-type embargo legislation.

If they are successful, the Foreign Relations Committee might hold hearings on the issue by June.

But one Senate source said interest in the issue "has been low," in part because South Africa no longer dominates the nightly television news, as it did for months while Congress was debating in 1986.

Wolpe and other Democrats expressed confidence that election-year pressure will force Republicans to deal again with South Africa. But Kassebaum said she hoped the issue will not become "a political litmus test."

Changes Since 1986

Members on both sides of the issue cite, as evidence for their position, the fact that the 1986 sanctions did little to force the South African government to end its policy of apartheid, or legal discrimination against blacks and other non-whites.

Instead, the government has cracked down: tightening restrictions on news coverage of protests, banning activities of major anti-apartheid groups, and continuing a state of emergency imposed in June 1986.

President P. W. Botha on April 21 proposed giving blacks a role in selecting the president. But he did not endorse full voting rights or ending apartheid.

Dellums, Wolpe and other advocates of sanctions said they never expected the 1986 legislation to end apartheid. Rather, they said, it was a repudiation of the Reagan administration's policy of "constructive engagement," or friendly persuasion, and was meant to demonstrate to South African blacks and whites alike that the United States was demanding change.

Tougher sanctions are needed to show that it is a "fantasy" for whites to believe they can hold sole power in South Africa indefinitely, they said.



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The South African government's crackdown on dissent has sparked protests, including this demonstration last October by Johannesburg students.

—By John Felton

"This may be the last chance to avoid a tragic descent into all-out violence," Wolpe said.

Opponents insisted that Pretoria's refusal to change its policies showed the futility of sanctions. Economic warfare, they said, hurts blacks more than the white government.

Doug Bereuter, R-Neb., who supported the 1986 sanctions, said the new bill is "irrational" because of its sweeping nature. "It is well-intended, but the results are not going to be what you intend them to be," he told Wolpe.

The 1986 sanctions — including a ban on air travel between the two countries and restrictions on trade in agricultural goods and computers — have caused only marginal damage to South Africa's economy, according to U.S. officials and experts who have testified before Congress.

More important, those experts said, has been the consistent departure from South Africa of U.S. firms, either in response to unrest or in anticipation of future sanctions.

More than half of all U.S. firms with facilities in South Africa as of 1984 have left. However, most plants and other installations built by those companies continue to operate, often through franchise arrangements.

U.S. firms also have responded to a provision enacted into law by Congress last December as part of an omnibus budget-reconciliation bill (PL 100-203). Sponsored by Rep. Charles B. Rangel, D-N.Y., that provision ended foreign tax credits for income derived from South African holdings.

Subcommittee Action

The Africa and Trade subcommittees substituted for the Dellums bill a rewrite drafted by Wolpe and other Foreign Affairs Democrats.

Before approving the bill on April 20, the Africa and Trade subcommittees rejected, on largely party-line votes, nine Republican amendments, most of which would have created major exemptions to the trade and investment prohibitions in the bill.

One major Republican amendment succeeded: the Trade panel accepted, 3-2, an amendment by Burton deleting a provision creating a new State Department office to administer the sanctions. James Bilbray, D-Nev., joined subcommittee Republicans in backing that amendment. However, the Africa Subcommittee opposed it.

Trade, Investment Bans

The heart of the bill approved by



TERESA ZABALA

Rep. Wolpe: "This may be the last chance to avoid . . . all-out violence."

the two subcommittees is the ending of all trade between the United States and South Africa, and the forced disinvestment in that country by American businesses.

The original Dellums bill would have barred those economic ties immediately upon enactment. In an attempt to pick up support in Congress, the Wolpe substitute allows phase-in periods. The ban on direct and indirect trade would take effect 180 days after enactment, but the president could give companies a one-time extension of 180 days for "good cause."

U.S. firms also would have one year to dispose of their investments and other holdings in South Africa. However, companies with more than 25 non-white employees in South Africa must enter into "good faith" negotiations with employee groups on the terms of the pullout.

The bill also bars shipment of petroleum products to South Africa by U.S. vessels, and bars the issuance of U.S. oil and mineral leases to any U.S. or foreign company that does petroleum business with South Africa.

The bill contains a major exemption to the trading ban: It allows continued imports of strategic minerals from South Africa, if the president certifies to Congress that they are essential for the U.S. economy or defense and that there are no alternative sources of supply.

South Africa is a major supplier of minerals important for industry, such as chromium, industrial diamonds, manganese, vanadium and platinum. South Africa also is the sole transit point for several minerals produced in neighboring countries, such as cobalt.

The two panels accepted an amendment by Donald E. "Buz" Luk-

ens, R-Ohio, also exempting from the import ban ferroalloys, used in steel production. Lukens said he was offering the amendment on behalf of "my district." A big employer in his district is ARMC Co., a steel company.

The original Dellums bill would have allowed an exemption only for "military uses" of strategic materials. The administration objected to that as too narrow, saying some of the minerals are necessary for items other than military equipment.

The ban on exports to South Africa exempts these items: publications; donations of food, clothing, medicine and other items "intended to relieve human suffering"; aid to human rights programs for disadvantaged South Africans; and contributions to religious, educational, relief and other charitable organizations. Goods covered by contracts dated prior to April 20, 1988, also could continue to be exported to South Africa for one year.

Other Provisions

The revised version of HR 1580 includes these other provisions:

- A ban on cooperation with South Africa by U.S. intelligence and military agencies. Included in that provision is a ban on the stationing of U.S. defense attachés in South Africa, and vice versa. The bill also calls on the administration to close the two South African consulates in the United States and to limit staffing at Pretoria's embassy in Washington.

- A requirement that the president take steps against other governments or foreign companies that take "significant commercial advantage" of the U.S. sanctions. The president must limit importation into the United States of the products of, or restrict U.S. government contracts with, those who seek to take advantage of the sanctions.

- Authorization of up to \$40 million annually for direct U.S. aid to disadvantaged South Africans. The United States currently is spending about \$25 million annually for scholarships, legal aid, and other programs to benefit blacks in South Africa.

- Elimination of a provision in 1986 law that allows the president to lift sanctions against South Africa if he finds that the United States is becoming increasingly dependent on Soviet-bloc countries for strategic minerals.

- A requirement that the president or secretary of state confer with leaders of other countries to reach cooperative agreements for sanctions against South Africa.